

10/551864

JC20 Rec'd PCT/PTO 03 OCT 2005  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : JOHN E. LOCKLEY et al.  
TITLE : ION-CONDUCTING POLYMERIC MATERIALS  
INTERNATIONAL APPLICATION NO. : PCT/GB2004/001375  
FILED : Herewith  
ATTORNEY DOCKET NO. : APLE 200002  
Cleveland, OH 44114  
September 29, 2005

**INFORMATION DISCLOSURE STATEMENT**

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, Applicants submit the following Disclosure Statement concerning art of which the Applicants are aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicants have not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), a concise explanation of relevance is required for information that is not in the English language. Accordingly, the English language documents have no further explanation.

All of the cited and/or included documents were cited by the European Patent Office in a related application. A copy of the International Search Report is also enclosed.

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

WITHIN THREE MONTHS OF FILING: Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the date of entry of the national stage. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

BEFORE FIRST OFFICE ACTION: Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH STATEMENT: Under § 1.97(c)(1), this information shall be considered if filed before the mailing date of a final action, or a Notice of Allowance or action that otherwise closes prosecution in the application if accompanied by the statement:

Under § 1.97(e)(1), the undersigned states:

A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the

certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION**

**THAT CLOSES PROSECUTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

**AFTER FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION**

**THAT CLOSES PROSECUTION/AND ON OR BEFORE PAYMENT OF THE ISSUE FEE:**

1. Under § 1.97(e)(1), the undersigned states:

A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; **or**

B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **and**

2.  the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

**PRIORITY CLAIM:** The attached PTO 1449 Form includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of this application.

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed

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for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

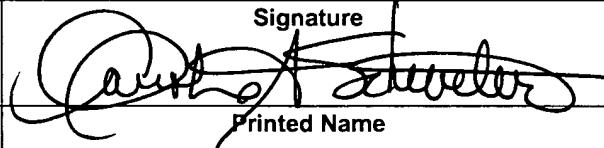
October 3, 2005  
Date

  
Scott A. McCollister, Reg. No. 33,961  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

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CERTIFICATE OF MAILING

I certify that this Information Disclosure Statement and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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|---|--|----------------------|---------------------------------|
| Substitute for form 1449/PTO                        |  | Complete if Known    |                                 |
| INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT(S) |  | Application Number   | To be assigned <b>10/551864</b> |
|   |  | Filing Date          | Filed Herewith                  |
|   |  | First Named Inventor | JOHN E. LOCKLEY et al.          |
|   |  | Art Unit             | Unknown                         |
|   |  | Examiner Name        | Unknown                         |
| Sheet 1 of 1  |  | Attorney Docket No.  | APLE 200002                     |

## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Document No.<br>Number-Kind Code (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document |
|--------------------|----------|---|--------------------------------|--|
|                    | AA       | US-   |                                |  |
|                    | AB       | US-   |                                |  |
|                    | AC       | US-   |                                |  |
|                    | AD       | US-   |                                |  |
|                    | AE       | US-   |                                |  |
|                    | AF       | US-   |                                |  |
|                    | AG       | US-   |                                |  |
|                    | AH       | US-   |                                |  |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Document                  | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | T                        |
|--------------------|----------|--|--------------------------------|--|--------------------------|
|                    |          | Country Code-Number Kind Code (if known) |                                |  |                          |
|                    | AI       | WO 03/028140                             | 04/03/2003                     | Lockley et al.                                     |                          |
|                    | AJ       | EP 0 277 834                             | 05/13/1998                     | Tomaschke et al.                                   |                          |
|                    | AK       | EP 0 202 849                             | 11/26/1986                     | Cardew et al.                                      |                          |
|                    | AL       | EP 0 145 305                             | 02/05/1992                     | Hann et al.  |                          |
|                    | AM       |  |                                |  | <input type="checkbox"/> |
|                    | AN       |  |                                |  | <input type="checkbox"/> |
|                    | AO       |  |                                |  | <input type="checkbox"/> |
|                    | AP       |  |                                |  | <input type="checkbox"/> |

## OTHER - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s),<br>publisher, city and/or country where published | T                        |
|--------------------|----------|--|--------------------------|
|                    | AQ       | International Search Report corresponding to International Application No. PCT/GB2004/001375   | <input type="checkbox"/> |
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|                    | AS       |  | <input type="checkbox"/> |
|                    | AT       |  | <input type="checkbox"/> |
|                    | AU       |  | <input type="checkbox"/> |

|                    |  |                 |
|--------------------|--|-----------------|
| Examiner Signature |  | Date Considered |
|--------------------|--|-----------------|